

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-13 are pending in the application, with claim 11 being the independent claims. Claims 1-10 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. No new claims are sought to be added, and no claims are amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Prompt and favorable consideration of this Preliminary Amendment is respectfully requested.

Claims 11-13 are previously pending as claims 21, 22 and 24, respectively, of U.S. Application No. 09/923,329 (to which the application claims priority), which have been amended herein in response to the Final Office Action mailed April 22, 2003. Applicants believe that the claims presented herein as amended are patentable over the prior art of record.

In the Final Office Action of the parent application, the Examiner uses the Azuma reference to show "first (14, 15) and second (10,11) pairs of arcuate openings, wherein the first and second pairs of arcuate openings open onto vertical and horizontal surfaces, respectively, of the center section" and that "the first pair of arcuate openings gradually deepens from the first end to the second end (e.g. 15, fig 6)." Office Action, page 3. Thus, according to the Examiner, the gradually deepening arcuate openings (i.e., the "first pair") open to the vertical surface of the center section. The Azuma et al. reference shows openings 10 and 11 that open on the horizontal surface of the center

section. Further, Figures 7 and 8 show that neither opening 10 nor 11 is gradually deepening. To the contrary, each sharply deepen (i.e. each show a sharp vertical slope). Thus, the Azuma *et al.* reference does not show “a second pair of arcuate ports opened on said horizontal surface of said center section,” so that each arcuate port opening to the horizontal surface is shallow at a first end and gradually deepens to a second end, as is required by claim 21.

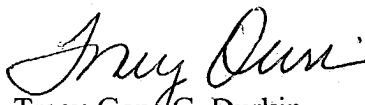
Further, not the Okada *et al.* reference, the Hauser reference, nor any other reference cited thus far by the Applicants or the Examiner teach both arcuate ports opening to a horizontal surface of a center section which gradually deepen from a first end to a second end. Thus, the combination of references provided by the Examiner either separately or in combination does not teach all of the features of claim 11 as presented herein.

Second, the Examiner used the Hauser reference to teach “a check valve” protruding from the side opposite to the horizontal surface of the center section. As such, the Hauser reference only discloses one check valve. In particular, col. 2, lines 54-56 of the Hauser reference discloses “the center section 24 is also provided with a check valve 36 for the purpose of regulating fluid pressure in the hydraulic circuit” (emphasis added). Hauser does not teach “a valve casing inserted into each of said oil holes” (i.e., two check valves) that open to a side opposite the horizontal surface of the center section, as recited in claim 21. Thus, Hauser does not teach, either alone or in combination with references cited by the Applicants or the Examiner, a check valve positioned in each of two oil holes which open to a side opposite the horizontal surface of the center section.

In light of these remarks, Applicants submit that the present claims 11-13 are patentable over the prior art used to finally reject the claims in the parent application.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gen G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: July 22, 2003

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600